

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Da Wei Fang  
Dba Jet Ocean Electronic Corp.  
4142 Pacific Privado  
Ontario, California 91710

ID No. CFI000000214

Respondent.

Docket HWCA 2008 0893

CONSENT ORDER

Health and Safety Code  
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and Da Wei Fang, dba Jet Ocean Electronic Corp. (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent collects and stores electronic waste at the following site: Jet Ocean Electronic Corp. 4142 Pacific Privado, Ontario, CA 91710 (Site).

1.3. Inspection. The Department inspected the Site on August 13 of 2008.

1.4. Authorization Status. The Respondent has notified the Department of their intent to operate as a Cathode Ray Tube (CRT) and Universal Waste Electronic Device (UWED) material handler under the requirements provided in California Code of Regulations, title 22, division 4.5, chapter 23 related to the treatment of CRTs and UWEDs.

1.5. Jurisdiction. Health and Safety Code section 25187, authorizes the Department to order action necessary to correct violations and to assess a penalty when the Department determines that any person has violated specified provisions of the Health and Safety Code or any permit, rule, regulation, standard, or requirement issued or adopted pursuant thereto.

1.6. Full Settlement. This Order shall constitute full settlement of the violations alleged below. The Parties, and each of them, agree that this Order, and all of the terms contained herein, are fair, reasonable, and in the public interest. By agreeing to this Order, the Department does not waive any right to take other enforcement actions except as specifically provided in this Order.

1.7. Hearing. Respondent waives any and all rights to a hearing in this matter.

1.8 Admissions. Respondent admits the violations as alleged in Section 2 below.

## 2. VIOLATIONS ALLEGED

2.1. The Department alleges the following violations:

2.2. Respondent violated California Code of Regulations, title 22, section 66273.35, subsection (c) in that on or about August 13, 2008, Respondent failed to demonstrate the length of time that the Universal Waste has been accumulated from the date it was received.

2.3. Respondent violated California Code of Regulations, title 22, section 66273.82 (a) and section 66273.13 (d)(2)(A) in that on or about August 13, 2008, Respondent failed to notify the Department prior to accepting CRT material and UWED.

2.4. Respondent violated California Code of Regulations, title 22, section 66273.82, subsection (b)(2) in that on or about August 13, 2008, Respondent failed to submit an annual report to the Department.

## 3. SCHEDULE FOR COMPLIANCE

3.1. The Respondent has corrected the violations cited above. The Respondent shall operate hereafter in a manner that shall prevent recurrences of the violations cited herein.

3.2. Respondent shall make all payments at the time(s) and in accord with any other conditions set forth in Section 5 (Penalty) below.

## 4. OTHER PROVISIONS

4.1. Liability. Nothing in this Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of

past, current, or future operations of Respondent, except as provided in this Order. Notwithstanding compliance with the terms of this Order, Respondent may be required to take such further actions as are necessary to protect public health or welfare or the environment.

4.2. Penalties for Noncompliance. Failure to comply with the terms of this Order may subject Respondent to costs, penalties and/or damages, as provided by Health and Safety Code section 25188, and other applicable provisions of law.

4.3. Parties Bound. This Order shall apply to and be binding upon Respondent and its officers, directors, agents, employees, contractors, consultants, receivers, trustees, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Order.

4.4. Integration. This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this Order.

## 5. PAYMENTS

5.1. Respondent shall pay the Department a total penalty of \$2,000.00.

5.2. Payment of the total sum specified in paragraph 5.1 is due within 30 days from the effective date of this Order.

5.3. Respondent's check(s) shall be made payable to Department of Toxic Substances Control, shall identify the Respondent and Docket Number, as shown in the caption of this case, and shall be delivered to:

Department of Toxic Substances Control  
Accounting Office  
1001 I Street, 21st floor  
P. O. Box 806  
Sacramento, California 95812-0806

A photocopy of the check(s) shall be sent to:

Robert Kou, Unit Chief  
Enforcement and Emergency Response Program  
Department of Toxic Substances Control  
9211 Oakdale Avenue  
Chatsworth, California 91311  
and

James Grace  
Office of Legal Affairs  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826

5.4. If Respondent fails to make payment as provided above, Respondent agrees to pay interest at the rate established pursuant to Health and Safety Code, section 25360.1, and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

#### 6. EFFECTIVE DATE

6.1. The effective date of this Order is the date it is signed by the Department.

Dated: February 4, 2009

Original signed by Da Wei Fang  
Respondent Signature

Da Wei Fang  
Print Name of Respondent

Dated: February 23, 2009

Original signed by Robert Kou  
Robert Kou, Unit Chief  
Chatsworth Branch  
Enforcement and Emergency Response Program  
Department of Toxic Substances Control